

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 04-10373-MLW
v.)	
)	
ERIC MOLIGNARO)	
)	

JOINT STATUS CONFERENCE MEMORANDUM

The United States of America, by Assistant U.S. Attorney Ann Taylor, and the defendant Eric Molignaro, by counsel Miriam Conrad, Esq., jointly submit this memorandum. The parties address herein the issues delineated in L.R. 116.5(A)(1)-(A)(7).

1. The defendant requests additional relief from the otherwise applicable timing requirements imposed by L.R. 116.3, specifically until April 6, to file a discovery motion in this case. The Government does not oppose said request.

2. The government anticipates the disclosure of the computer hard drive in this matter, as soon as a protective order is entered by the Court. The parameters of the protective order is a point of disagreement between the government and the defense and therefore, will be the subject of a discovery motion by the defense. The government does not anticipate any additional discovery with the exception of that due at least twenty-one days prior to trial pursuant to L.R. 116.2(B)(2)(a)-(g)), but allows that it might do so in response to specific defense requests.

3. A motion date should be established under Fed. R. Crim. P. 12(c). The defendant requests that a date of April 6, 2005 be set for the filing of a discovery motion with the government to respond two weeks thereafter. A deadline for filing a suppression motion

should be set once discovery is complete.

4. The parties agree that the time between the date of the filing of this memorandum, March 22, 2005, through the date that the Court sets for the filing by the defendant of motions, up to and including the date that the Court sets for the government's response thereto, should be excluded pursuant to 18 U.S.C. § 3161(h)(1)(F).

5. At this juncture, the parties anticipate a trial, which is expected to last approximately one week.

6. An interim status conference should be set coincident with the conclusion of the briefing period that the Court sets for the defendant's motions.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Ann Taylor
Ann Taylor
Assistant U.S. Attorney

Eric Molignaro
Defendant

By: /s/ Miriam Conrad
Miriam Conrad
Counsel for Eric Molignaro

DATE: March 28, 2005